

REMARKS

The Office Action issued by the Examiner on September 6, 2006 and the citations referred to in the Office Action have been carefully considered. Claims 1-56 are currently pending. Applicants have amended Claims 1, 2, 7, 13, 22-29, 35, 39, 43-45, 47 and 48. Claim 46 has been canceled without prejudice or disclaimer. Claims 49-56 have been newly added.

Claim Rejections under 35 U.S.C. § 102

The Examiner has rejected Claims 7-17, 20-27, 35-39, 40, 44-48 under 35 U.S.C. 102(b) as being anticipated by various references cited by the Examiner. For the reasons discussed below in relation with each cited reference, Applicants respectfully disagree with Examiner's conclusions.

Claim rejections based on Lambert

Claims 7, 44 and 47 have been rejected by the Examiner as being anticipated by Lambert (U.S. Patent No. 6,895,170). Lambert fails to teach the predetermined passive sequence as taught in the present application. Lambert's system is a system that refers to technology for playing primary chapters and secondary chapters according to random or pseudo-random order. The language discussed by the Examiner, which comprises of mostly the description of Fig. 4 of Lambert, discusses the determination of playback criteria. This determination is performed at step 410 of Lambert and teaches various examples of how secondary chapters can be selected for presentation to the user before, during, and/or after the main chapter. See Lambert column 6, lines 28-32. As such, Lambert does not teach a predetermined sequence that is fixed in order wherein the order is not altered by a user demand as taught in Claim 7 of the present application and Claim 44 of the present application. Neither does Lambert teach a predetermined passive sequence that is fixed in order wherein the order does not require any user input as taught in Claim 47 of the present application. In fact, the whole point of Lambert is to not have a predetermined sequence but rather a sequence that varies to maintain user interest. For instance, Lambert states that "in one embodiment, the selection of secondary chapters play back varies

each time the DVD is played.” See Lambert, column 5, lines 5-7. Lambert further explains that “in addition, because the sequence of trailers changes over time (as opposed to being static as in videotapes), viewer interest is maintained.” See Lambert, column 3, lines 13-16. As previously discussed, paragraph 20 of the specification explains that “the pre-ordered viewing mode allows the user to view a DVD in the same fashion as a VHS tape.” Accordingly, the predetermined passive sequence of Claims 7, 44 and 47 is fixed in a manner similar to a VHS tape. Lambert specifically teaches away from the predetermined sequence of Claims 7, 44 and 47 by saying that the sequence of Lambert maintains viewer interest by not being static like a videotape. Therefore, Lambert does not teach predetermined passive sequence being in a fixed order that is not altered in response to a user demand, or that does not require user input. Accordingly, Applicants submit that the rejection of Claims 7, 44 and 47 based on Lambert should be withdrawn.

Claim rejections based on Ando

The Examiner has rejected Claims 7-16, 20-21, 44 and 47 as being anticipated by Ando et al. (U.S. Patent No. 6,341,196). Applicants submit that Ando does not teach all the limitations provided in Claims 7, 44 and 47. In particular, Ando does not teach a predetermined passive sequence being in a fixed order that is not altered in response to user demand. Ando only discusses user interaction in order to define a new program order information. Claims 8-16 and 20-21 depend from Claim 7. Because Ando does not include all of the limitations recited by Claim 7, neither independent Claim 7 nor dependent Claims 8-16, 20-21 are anticipated by Ando. Claims 44 and 47 also recite a predetermined passive sequence that is in a fixed order that does not require any user commands. Applicants respectfully request that the rejections to Claims 7-16, 20-21, 44 and 47 based on Ando be withdrawn.

Claim rejections based on Hirayama

Examiner has rejected Claim 46 as being anticipated by Hirayama et al. (U.S. Patent No. 5,630,006). Claim 46 has been canceled without prejudice or disclaimer and therefore the rejection as to Claim 46 is now moot.

Claim rejections based on Pixar

The Examiner has rejected Claims 7-17, 20-27, 35-39, 42, 44-48 as being anticipated by Pixar. As mentioned above, Claim 46 has been canceled and therefore, the rejection as to Claim 46 is now moot. Regarding Claim 7, 44-45 and 47, the Examiner indicates that Pixar discloses a first instruction set and a second instruction set as taught in Claims 7, 44, 45 and 47. The reference cited by the Examiner consists of a two page document corresponding to photocopies of the front and back cover of a DVD case that outlines the features and contents of the DVD contained therein. Nothing in the reference cited by the Examiner gives an indication of a first instruction set, a second instruction set and the limitations associated therein as recited in Claims 7, 44, 45 and 47. For example, nowhere within the four corners of such document is there a teaching related to playback of data blocks in a predetermined passive sequence that is not altered in response to a user command. or that does not require user input. In addition, the examples provided by the Examiner as teachings of a first instruction set and a second instruction set do not anticipate the limitations of Claim 7, 44, 45 and 47. In the Office Action on page 5, the Examiner indicates that Pixar discloses "a first instruction set that instructs the video player to play the plurality of data blocks of the medium in predetermined sequence (warning, preview sequence) when the DVD is inserted into [sic] DVD player." It is not clear to Applicants where in Pixar there is a discussion of the warning of preview sequence that is played as suggested in the Office Action. In addition, the Examiner in the Office Action on page 5 states that Pixar discloses a DVD having "a second instruction set that instructs the medium to play the plurality data blocks of the medium in response to user demands that determine the order for playing the plurality of data blocks of the medium (user can select play, scene selections, bonus features or sneak peeks) for viewing with a different sequence." Again, nowhere in the Pixar reference is there a discussion of a second instruction set that instructs the medium player to play the plurality of data blocks in response to commands by the user.

Moreover, even assuming arguendo that the Office Action refers to a warning sequence that is played from a conventional DVD and scene selections based on user commands that are played on user interaction, the data blocks corresponding to each of these sections would be different from each other. In other words, a sequence displayed upon inserting a DVD comprises of a first set of data blocks which is different than a video sequence that is played upon user selection as seen in conventional DVDs. Claims 7, 44, 45 and 47 recite a first instruction set and a second instruction set that instructs the medium player to play the same plurality of data blocks of the medium. Accordingly, Applicants submit that Claims 7, 44, 45 and 47 are not anticipated by Pixar. Claims 8-17, 20 and 21 depend from Claim 7. Independent Claim 7 is not anticipated by Pixar and therefore Claims 8-17, 20 and 21 are not anticipated by Pixar either.

Regarding Claim 22, the on page 7 of the Office Action, the Examiner indicates that Pixar teaches a method comprising “automatically playing the plurality of data blocks of the medium in a predetermined sequence warning [sic] and preview chapter [sic] are automatically [sic] when the VD [sic] is inserted into the DVD layer [sic]”. Applicants respectfully request that the Examiner point out where in the reference cited by the Examiner there is a discussion of automatically playing the plurality of data blocks as taught in Claim 22 and suggested to be disclosed in the Pixar document by the Examiner. Likewise, other limitations of Claim 22 are cited by the Examiner as being disclosed by the Pixar reference, yet Applicant does not find in the Pixar reference any discussion regarding the limitations of Claim 22. Applicants submit that the Pixar reference does not anticipate Claim 22. Accordingly, Claims 23-28 are not anticipated by Pixar either.

Regarding Claims 35, 39 and 46, the Examiner has simply transcribed the text of each of these claims on the Office Action and provided an overall statement that the claim is anticipated by the Pixar reference without a citation to a discussion, explanation or even a suggestion in the Pixar reference. Applicants further submit that the Pixar reference does not anticipate Claims 35, 39 and 48 as the Pixar reference does not feature any of the elements disclosed therein. Furthermore, dependent Claims 37-38 are claims that depend from Claim 35. Claims 40-42

depend from Claim 39. Accordingly, Applicants submit that Claims 36-38 and 40-42 are not anticipated by Pixar either.

Rejections of Claims 1, 29-31, 33, 43, 46 under 35 U.S.C. § 103(a)

In addition, Claims 1, 29-31, 33, 43, and 46 are rejected under 35 U.S.C. 103(a) as being unpatentable over Pixar in view of Hirayama. Claim 46 has been canceled without prejudice or disclaimer, and therefore the rejection as to that claim is moot. The rejections presented by the Examiner are traversed at least for the reasons that follow.

As discussed above, Pixar does not teach any of the features recited in the claims at issue. For example, Pixar does not discuss “providing a menu to a user for selecting the plurality of data blocks of the medium to be viewed in a predetermined sequence or interactive sequence” as suggested by the Examiner. The Examiner is respectfully requested to specifically cite the language in Pixar that teaches the aforementioned feature. In addition, as admitted by the Examiner in the Office Action of March 14, 2006, Hirayama does not teach a fixed ordered sequence. *See* Office Action of March 14, 2006, page 10. Therefore, Pixar and Hirayama, do not teach “linking the contents of the digital video disc in a passive fixed ordered sequence,” which recites a “passive fixed ordered sequence” as taught in Claims 1, 29, and 43. Therefore, Claims 1, 29, and 43 are not rendered obvious by Pixar in view of Hirayama. Claims 30-31, and 33 depend from Claim 29, therefore Claims 30-31, and 33 are not obvious by Pixar in view of Hirayama either.

Rejections of Claims 3-6 under 35 U.S.C. § 103(a)

The Examiner rejected Claims 3-6 under 35 U.S.C. § 103(a) over Pixar view of Lambert and in further view of Mock. Claims 3-6 depend from Claim 1. Accordingly, Claims 3-6 are allowable as Claim 1 is in condition for allowance.

Rejections of Claims 29-31, 33, 43, 46 under 35 U.S.C. § 103(a)

The Examiner has rejected Claims 29-31, 33, 43, 46 under 35 U.S.C. § 103(a) over U.S. Application Publication No. 2004/136698 to Mock ("Mock") in view of Hirayama et al. (5,630,006). Claim 46 has been canceled without prejudice or disclaimer, and therefore the rejection as to that claim is moot. Applicants traverse the aforementioned rejection as to the rest of the claims.

As amended, Claim 29 teaches "presenting a menu for selecting the plurality of data blocks of the medium to be viewed, the menu displaying a first menu selection for a pre-determined passive fixed ordered sequence and a second menu selection for an interactive sequence." Mock does not teach a pre-determined passive fixed ordered sequence. Instead, Mock teaches conventional controls for scene selection, playing bonus materials, etc. In addition, as discussed above, Hirayama does not disclose a fixed ordered sequence either. At least for this reason, the Mock-Hirayama combination does not teach a "pre-determined passive fixed ordered sequence." Likewise, independent Claim 43 teaches "linking the contents of the digital video disc in a passive fixed ordered sequence." Neither Mock nor Hirayama teach a fixed ordered sequence. Accordingly, Applicants submit that independent Claims 29 and 43 are not rendered obvious over Mock in view of Hirayama.

New Claims

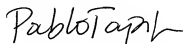
Claim 49 has been newly added. Applicants submit that Claim 49-56 does not include new matter and are supported in the as-filed application. In particular, the Summary section as well as the second paragraph of the Written Description provide support for Claims 49-55.

CONCLUSION

It is respectfully submitted that all of the Examiner's objections have been successfully traversed and that the application is now in order for allowance. Accordingly, reconsideration of the application and allowance thereof is courteously requested.

The Director is authorized to charge any additional fee(s) or any underpayment of fee(s), or to credit any overpayments to **Deposit Account Number 50-2638**. Please ensure that Attorney Docket Number 54317-029201 is referred to when charging any payments or credits for this case.

Respectfully submitted,



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